IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5647 of 2005

Between:

Smt. E. Prasanna Kumari, w/o. E.V.N. Chary,
Bhagatsingh Nagar, quthbullapur, Municipality, R.R.District.

..... PETITIONER

AND

The Assistant Supply Officr, Circle I, Balanagar Circle, R.R.District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus and set aside the same impugned order or the respondent in Proc. No.B/1/2005 dt. 15.3.2005 and supply the K. Oil to the 104 declaration form holders as per the allotment as usual and pass such other order or orders.

Counsel for the Petitioner: MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondent: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Heard both sides. Perused the material placed before me.

Petitioner is a Fair Price Shop dealer. Her grievance is that the respondent, under the impugned proceedings dated 15.3.2005, suspended her authorization on certain alleged irregularities without giving any reasons or without giving her any opportunity to submit her explanation. Consequent upon, she has not been supplied kerosene oil to distribute it to the cardholders.

However, the petitioner has not availed of the efficacious remedy of appeal, seeking redressal.

Learned counsel for the petitioner brought to the notice of this Court that in a similarly situate case, this Court on
5-4-2005 disposed of Writ petition No. 5808 of 2005 giving liberty to the petitioner to approach the appellate authority within a period of two weeks from today and upon such appeal along with any interim application being filed, the appellate authority shall dispose of the same, within a period of four weeks thereafter positively and till any such orders are passed on the interim application, the impugned order shall stand suspended.

Recording the above submission and having regard to the facts and circumstances of the case, this writ petition is also disposed of with the same observations and directions that the petitioner is at liberty to approach the appellate authority within a period of two weeks from today and upon such appeal along with any interim application being filed, the appellate authority shall dispose of the same, within a period of four weeks thereafter positively and till any such orders are passed on the interim application, the impugned order shall stand suspended. No costs.

08-04-2005

Note:

Operative portion of the

Order may be given on wire

at party's cost.

B/0 ***KVSN***

To

1. The Assistant Supply Officr, Circle I, Balanagar Circle, R.R.District.
2. Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.
3. Two CD Copies.